

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DANIEL CONVERSE,

Defendant.

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8:14CR359

ORDER

This matter is before the court on the motion to continue by defendant Daniel Converse (Converse) (Filing No. 44). Converse seeks a continuance of the trial of this matter was scheduled for November 28, 2016. The motion was held in abeyance pending arrangements for Converse to appear in the District of Nebraska and allow defense counsel adequate time to prepare for trial. Upon consideration, the motion will be granted and trial will be scheduled for which Converse must appear in person. Converse's failure to appear will result in the issuance of an arrest warrant.

IT IS ORDERED:

1. Converse' motion to continue trial (Filing No. 44) is granted.
2. Trial of this matter is re-scheduled for **February 6, 2017**, before Judge Robert F. Rossiter, Jr., and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **December 16, 2016, and February 6, 2017**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 16th day of December, 2016.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge